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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/704,068	11/01/2000	Francis Robert Burianek	06576.105025- MS No 15051	3938
45979	7590	11/23/2005	EXAMINER LIN, WEN TAI	
PERKINS COIE LLP/MSFT P. O. BOX 1247 SEATTLE, WA 98111-1247			ART UNIT 2154	PAPER NUMBER

DATE MAILED: 11/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/704,068	Applicant(s) BURIANEK ET AL.	
	Examiner Wen-Tai Lin	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-18 are presented for examination.
2. The text of those sections of Title 35, USC code not included in this action can be found in the prior Office Action.
3. Claims 1-8 are objected to because the term "the task delegation information" appears to lack antecedent basis in claim 1.

### ***Claim Rejections - 35 USC § 103***

4. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Retallick [U.S. Pat. No. 6006215].
5. Retallick was cited in the previous office action.
6. As to claims 1 and 4, Retallick teaches the invention substantially as claimed including: a method of making a delegation of a task comprising the steps of:
  - receiving at a server a signal from a first resource client [e.g., the user who creating a delegated task] to the server [30, Fig.3A; col.10, lines 28-35; i.e., the process including the activity manager (col.1, lines 7-14) and/or the task

delegation module (col.6, lines 61-64) is a server] indicating that the task is being delegated to a second resource client [col.4, lines 53-55];

- sending a record of the task delegation from the server to a storage medium [col.4, lines 16-19; col.7, lines 43-51; i.e., all the activities/events are recorded in databases]; and
- sending the task delegation information from the server to the second resource client and to a project manager [col.1, lines 33-47, wherein officers (e.g., project managers) and employees (e.g., the first and second resource clients) are among the multiple users],

wherein the task delegation information is distinct from the record of the task delegation sent from the server to the storage medium [col.6 line 61 – col.7, line 28; Fig. 6B; note that dialog between the sender and the relevant recipients (e.g., the second resource clients and the project manager) for pre-acceptance is required before a task delegation can be made, and therefore the pre-acceptance dialog is different from the delegated (stored) task itself].

Retallick does not specifically teach that the server is separated from a project manager client and therefore it is not required to sending the task delegation information from the server to the second resource client and to a project manager client [see col.7, line 2-28; e.g., the task delegation module has the capability of analyzing a user's workload and availability for newly delegated data].

However, in a workflow environment upon which Retallick's system is based, it is well known that workers are situated in a management hierarchy wherein various levels of managers are in place for approving documents and/or delegation of rights. It would have been obvious to one of ordinary skill in the art at the time the invention was made to further single out project manager clients in Retallick's system for monitoring the resource clients' availability and for approving or rejecting the delegation because by doing so it would make Retallick's system more directly imitating a real working environment [see col.1, lines 33-47, wherein the officers refers to various levels of managers in real working environment].

7. As to claims 2-3, Retallick further teaches that the second resource client may accept or reject the task delegation, depending the availability of the second resource client [col.6, line 61 – col.7, line 10], wherein the steps depicted in claim 3 are obvious because a separate project manager client would then need to inform the database subsystem of its decision so as to update the task assignment status.

8. As to claim 6, Retallick further teaches that a Contact record can be modified or added to as new information requires updates to older information [col.13, lines 39-46]. As such, the detailed steps depicted in this claim are obvious in view of a separate project manager client and server.

9. As to claim 7, Retallick further teaches that approval of the task delegation by the project manager client is automatic [col.4, line 53 – col.5, line 62].

10. As to claims 5 and 8, since the features of these claims can also be found in claims 1-4 and 6-7, they are rejected for the same reasons set forth in the rejection of claims 1-4 and 6-7 above.

11. As to claim 9, Retallick teaches that Topics and Subtopics are so similar, wherever Topics are mentioned herein, it is to be understood that the statement applies to Subtopics as well, unless otherwise stated [col.2, lines 29-40]. Accordingly, the steps depicted in claims 1-7 are applicable to claims 9-15 [it is noted that the second resource client of claims 15 is equivalent to the project manager client of claim 1].

12. As to claims 10-18, since the features of these claims can also be found in claims 1-9, they are rejected for the same reasons set forth in the rejection of claims 1-9 above.

13. Applicant's arguments filed on 9/7/2005 for claims 1-18 have been fully considered but they are not deemed to be persuasive.

14. Specifically Applicant argues in the remarks that (1) Retallick's commitment dialog is performed between the Task Delegation Module and the user's Daily Activity

Profile; and (2) In Retallick's system when an activity record is created, the activity is automatically added to the Recipient's ToDo List. As such, there is no direct communication of the assignment between the server (i.e., the Task Delegation Module) and the client (i.e., the Recipient of the assigned activity) in Retallick's system.

15. The examiner respectfully disagrees with Applicant's arguments.

1. Nowhere in the prior art of record shows that the commitment dialog is performed between the Task Delegation Module and the user's Daily Activity Profile. On the contrary, Retallick clearly states that (i) the Task Delegation Module is used for permitting the Sender-Recipient link to be bidirectional [col.6, lines 61-64]; (ii) when an Activity is created that establishes an Action (or other Activity Type) that requires some task to be performed or response to be made by a Recipient, that task or response is not added to that Recipient'sToDo List without limitation, restriction or pre-acceptance [col.6, line 64 – col.7, line 2]; and (iii) a non-rejecting Recipient is a prerequisite to entering an Activity [col.7, line 9-10]. Based on these passages, one can conclude that entering an Activity to into a database (i.e., Activity database) is performed after no rejection is received from the targeted activity Recipient.

2. Retallick further teaches that using the information accessed from user's Activity Profile, the invention (or the Task Delegation Module) "will permit, permit with warning, reject with warning or reject outright, an Activity sent by a User (Sender) to Recipients, depending on limits established relative to the Daily Activity Profiles." This simply indicates that the messages carrying "permit, permit with warning, reject with

warning or reject", which are communicated to the senders, are for alerting that the Recipient may not be available [col.7, lines 5-7]. That is, through the monitoring of the Recipient's Daily Activity Profile, the Task Delegation Module may lower the Recipient's rejection rate (or miss targeting), but, ultimately, having pre-acceptance of a Recipient is a prerequisite to entering the Activity into the database. If the Task Delegation Module can make outright decision to enter an Activity (as the Applicant has asserted), then there would be no requirement for alerting a sender and no need for the prerequisite of a "non-rejecting recipient".

3. Applicant is further noted that the claim language does not: (i) require direct communications between the server and the recipient; (ii) specify how "distinct" the record of the task delegation and the task delegation information should be [e.g., are objects of same content with different formats considered "distinct"?]; and (iii) specify where the storage medium is located [e.g., can it be located locally with the recipient client?]. Because of the broadly interpretable terms involving the aforementioned subject matter, the prior art of record would still read on the claims even without the examiner's argued points presented in (1) and (2) above.

For the above reasons, it is submitted that Retallick's system/method provides bi-directional communications between the senders and recipients (via the server) prior to assigning an activity to a recipient.



### ***Conclusion***

**Examiner note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the contest of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (571)272-3969. The examiner can normally be reached on Monday-Friday(8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571)272-3964. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)872-9306 for official communications; and


(571)273-3969 for status inquires draft communication.

Art Unit: 2154

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Tai Lin

November 10, 2005

  
11/10/05